

c. a particle-based, nonemissive display; and

d. a plurality of nonlinear elements,

the display and the nonlinear elements being [disposed] sandwiched between the first and second [sets of electrodes] electrode layers so as to electrically couple at least some electrodes of the first [set] layer with corresponding electrodes of the second [set] layer at regions of intersection.

REMARKS

In the Advisory Action mailed on September 6, 2000, the Examiner refused entry of the amendment filed on August 18, 2000, contending that the amendment raised new issues. The Examiner also provided suggested claim language specifying that the display and nonlinear elements are "vertically sandwiched between the first and second planar sets of electrodes."

We have attempted to recognize the Examiner's concerns in the above amendment without specifying a vertical orientation or planarity. It is believed that verticality is a relative term that would render the claims indefinite (see MPEP §706.03(d) and the discussion of ¶7.34.03), since the structure may just as easily be oriented with the layers upright and adjacent horizontally. With respect to planarity, nothing about the inventors' approach requires strictly planar layers; what is important is the manner in which the display and nonlinear elements are sandwiched between the electrodes.

The Examiner's concerns with the previously proposed claim language are understood to stem from possible ambiguity of the term "sandwiched" as it relates to the Kazan patent, in which the nonlinear elements lie adjacent to one set of electrodes on the same layer. By amending the claims as set forth above, in which the display and nonlinear elements are required

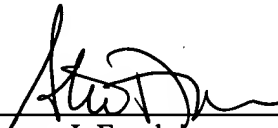
to be sandwiched between *distinct layers*, we have removed any possible ambiguity relative to Kazan (which, again, places the nonlinear elements on the *same layer* as one set of electrodes). It is noted that the structure claimed herein, unlike that of Kazan, affords the possibility of fabrication by sequential deposition of electrode, nonlinear element, and display layers.

We respectfully submit that this amendment places the application in condition for allowance. Please charge any fee occasioned by this paper to our Deposit Account No. 20-0531.

Respectfully submitted,

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